

# MAZZOLA LINDSTROM<sup>LLP</sup>

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December 16, 2024

## Letter-Motion

Via ECF

Honorable Edgardo Ramos, USDJ-SDNY  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007  
Courtroom 619

## MEMO ENDORSED

The request is granted. The Show Cause Hearing will take place on January 22, 2025, at 10:30 a.m.

SO ORDERED.



Edgardo Ramos, U.S.D.J.

Dated: December 18, 2024  
New York, New York

Re: Dongguan Cheng One Co., Ltd. v. Desen Inc., 1:24-cv-03388-ER

### Request for Adjournment of Hearing and Extension of Time to Serve upon the New York Secretary of State

Dear Judge Ramos:

I represent plaintiff, Dongguan Cheng One Co., Ltd., in the above-referenced matter.

The order to show cause for a default judgment herein, which was so-ordered by Your Honor on November 20, 2024, directed that service be made upon **both** the New York Secretary of State and upon the defendant via regular mail and FedEx or similar overnight delivery service to Desen's last known place of business.

While service was properly made upon the defendant at its last known address, I inadvertently failed to direct that the service also be made upon the New York Secretary of State. I deeply regret the error, and sincerely apologize to the Court, as the Court has scheduled a hearing on the OTSC for December 19th at 11:00am. Due to my error, the Court would, I believe, be constrained to deny the default judgment.

I respectfully ask for the good grace of the Court, and request that the plaintiff be permitted to effectuate service upon the New York Secretary of State on or before such date as is deemed reasonable by the Court, and that the hearing on the OTSC for a default judgment be adjourned to a date in January 2025. In the papers to be re-served, I will notify the defendant of the new date, should Your Honor set a new hearing date at this time.

There have been no previous requests for adjournment or extension by the plaintiff.

I take full responsibility for the mistake, and have learned a valuable lesson. I understand the importance of adhering to procedural rules and sincerely regret the inconvenience this has caused to the Court.

I sincerely thank Your Honor for your consideration of this request. In the event that the Court has any questions or requires any additional information, please contact the undersigned.

Respectfully submitted,

MAZZOLA LINDSTROM, LLP



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